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62. The pulse oximeter of Claim 58, further comprising a display to display the oxygen saturation.

63. A pulse oximeter comprising:
a light emitter adapted to emit light of at least first and second wavelengths;
at least one light detector configured to receive light attenuated by transmission through a living tissue with arterial pulsing blood, the light detector acquiring a first signal based on light of the first wavelength and a second signal based on light of the second wavelength;
an analog to digital converter that digitizes the first and the second signals to produce digitized first and second signals;
a filter responsive to the first and the second digitized signals to filter the first and the second digitized signals, to produce filtered first and second signals; and
a processor responsive to the filtered first and second signals to calculate oxygen saturation during the presence of patient motion.

64. The pulse oximeter of Claim 63, wherein the filter uses a least squares algorithm.

65. The pulse oximeter of Claim 63, wherein the filter is configured as a least squares lattice.

66. The pulse oximeter of Claim 63, wherein the filter is configured as an adaptive noise canceler.

REMARKS

New claims 41-66 are presented for Examination. The term adaptive system and adaptively filtered are used in the claims in its ordinary and accustomed way as understood by one of ordinary skill in the art, as is clear from the specification, and no other special definition is provided. The IEEE Standard Dictionary of Electrical and Electronics Terms defines adaptive system as a system that has a means of monitoring its own performance and varying its own parameters by closed-loop action to improve its performance. This ordinary meaning is supported at page 19, lines 18-29 of the specification, and Figure 5 illustrates a close-loop system.

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The claims as presented are believed to be allowable.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

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